

MATTHEW WEBB	§	
VS.	§	CIVIL ACTION NO. 1:08CV721
UNITED STATES OF AMERICA	§	

Movant, Matthew Webb, an inmate at the United States Penitentiary in Big Sandy, Kentucky, proceeding *pro se*, filed these proceedings pursuant to 28 U.S.C. § 2255. Respondent filed a motion to dismiss asserting movant’s claims are barred by a waiver contained in the plea agreement.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends the motion to dismiss be denied as the plea agreement does not bar consideration of movant's grounds for review.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation have been filed to date.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. Furthermore, it is hereby, **ORDERED** that Respondent has thirty days in which to file an answer or otherwise respond on the merits of this case.

Ron Clark
Ron Clark, United States District Judge